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## VIA FACSIMILE (212) 805-7924

Honorable Sidney H. Stein United States District Court Southern District of New York Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street, Room 1010 New York, New York 10007-1312

> RE: P.T. BERLIAN LAJU TANKER TBK v. RINEX NAFTA LIMITED 08 CV 3471 (SHS) - SDNY

Dear Judge Stein,

We represent the Plaintiff in the captioned Rule B attachment action which is scheduled for a conference before Your Honor on Thursday, August 14, 2008 at 10:00 AM. respectfully request that for the reasons set forth below that the conference be adjourned.

This action was brought in April 2008 in order to obtain security for Plaintiff's claims (then pending against Defendant in London arbitration) arising out of breach of a maritime contract of charterparty. Your Honor authorized issuance of Process of Maritime Attachment and Garnishment of property belonging to Defendant up to the sum of \$33,900. To date, we have managed to restrain only \$20,000. Upon serving notice of this restraint as required by Local Rule B.2, we were advised that Defendant is now out of business and no additional funds are likely to be restrained.

On July 29, 2008, an arbitration award was issued in favor of our client pursuant to which Defendant has been directed to pay the sum of approximately \$27,000. A copy of the award along with demand for payment has been sent to Defendant. It is expected that Defendant will not pay under the award and that it will thus be necessary to file a motion seeking to have the August 8, 2008 Page 2

award recognized and confirmed as a judgment of this Court so that we can proceed to execute on the judgment and obtain partial satisfaction from release of the restrained funds.

The Defendant has thirty (30) days in which to file an appeal from the arbitration award. We anticipate the motion will be filed in early September. Accordingly, we anticipate an appearance before Your Honor in the early Fall.

We thank the Court for its courtesy and consideration of this request.

Respectfully submitted,

Michael E/Unger

FREEHILL HOGAN & MAHAR, LLP

MEU/mc

The confirence is adjournal to 9/26/08, at 12:30 p.m. so ORDERED8/8/08

SIDNEY H. STEIN

U.S.D.J.